



THE CITY OF NEW YORK
LAW DEPARTMENT
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ZACHARY W. CARTER
Corporation Counsel

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April 1, 2014

By Fax (212) 805-7949 and ECF

Honorable P. Kevin Castel
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Estate of Mohamed Bah v. City of New York, et al.,
1:13-cv-6690-PKC-KNF

Your Honor:

I am an attorney in the office of Zachary W. Carter, Corporation Counsel of the City of New York, counsel for defendants The City of New York, Robert Gallitelli, Vincent Johnson, Brian Stanton, Esmeralda Santana, Joseph McCormack, Michael Licitra, Edwin Mateo, Andrew Kress and Michael Green in this action. I write to respectfully request that the Court permit defendants Mateo, Kress and Green to join in the Motion to Dismiss pursuant to Fed. Rule Civ. P. 12(b)(6) filed by the City and the other six individual defendants on January 24, 2014 ("Defendants' Motion"), which has now been fully briefed and submitted to the Court.

A number of the arguments in support of dismissal set forth in Defendants' Motion are applicable to the claims against Mateo, Kress and Green. Accordingly, we respectfully request that they be permitted to join in that Motion. Should the Court deny this request, Mateo, Kress and Green will answer the Amended Complaint promptly.

Thank you for your consideration of this request.

Respectfully submitted,

Ashley R. Garman

*Application denied for
substantially the reasons set forth
in the 3rd paragraph of
plaintiff's counsel's letter of
April 2, 2014.*

*SO ORDERED
[Signature] VSDJ
4-8-14*

Hon. P. Kevin Castel

April 1, 2014

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